

ORDINANCE NO. 18-0004

**AN ORDINANCE OF THE CITY OF MANHATTAN BEACH
REAUTHORIZING AND READOPTING THE CITY'S
PUBLIC, EDUCATIONAL, AND GOVERNMENTAL
ACCESS SUPPORT FEE.**

WHEREAS, Section 5870(n) of the Public Utilities Code, which was enacted as part of the as the Digital Infrastructure and Video Competition Act of 2006, authorized the City to adopt an ordinance establishing a fee on state-franchised video service providers to support public, educational, and governmental ("PEG") access channel facilities; and

WHEREAS, the City adopted such a fee, which is codified in Section 13.03.040 of the Manhattan Beach Municipal Code; and

WHEREAS, Section 5870(n) of the Public Utilities Code states that such an ordinance shall expire, and may be reauthorized, upon the expiration of a state franchise, and that a fee may be adopted at any time; and

WHEREAS, California Video Franchise Certificate Franchise No. 0020 granted to Time Warner Cable Pacific West LLC d/b/a Charter Communications expired on January 2, 2018;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby reauthorizes and readopts the fee on Charter Communications to support public, educational, and governmental channel facilities codified in Section 13.03.040 of the Municipal Code, which fee shall remain unchanged and in full effect as to all state-franchised video service providers.

Section 2. Upon the effective date of this Ordinance, Ordinance No. 18-0003-U is hereby repealed.

Section 2. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law.

ADOPTED on February 20, 2018.

AYES:

NOES:

ABSENT:

ABSTAIN:

AMY HOWORTH
Mayor

ATTEST:

LIZA TAMURA
City Clerk